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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,843	10/29/2003	Jimmy D. Collins	FSI0052/US/2	7839
7590	02/03/2006		EXAMINER	
Daniel C. Schulte Kagan Binder, PLLC Maple Island Building 221 Main Street North, Suite 200 Stillwater, MN 55082				LEE, HSIEN MING
				ART UNIT
				PAPER NUMBER
				2823
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Please find below and/or attached an Office communication concerning this application or proceeding.

BY

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/695,843	COLLINS ET AL.	
	Examiner Hsien-ming Lee	Art Unit 2823	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 02 December 2005.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-15, 24-27, 30 and 31 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15, 24-27, 30 and 31 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**HSIEN-MING LEE**  
**PRIMARY EXAMINER**

2/1/06

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 24-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Mekias (US 2003/0075555, submitted by the applicant).

In re claim 1, Mekias, in Fig. 1~4 and related text, teach a spin-coating system (paragraph [0023]) comprising a supply of process solution in fluid 12 (paragraph [0029]) communication with a dispenser 30 (Fig.2) through a dispense line 6 (paragraph [0029]), and a pressure sensor 44 (Fig.4 and paragraphs [0023] and [0035]) that measures pressure of the process solution in the dispense line 6 at a time related to a step of dispensing the process solution, to control timing of a subsequent spin-coating process step.

In re claim 2, Mekias teaches that the pressure sensor comprises a pressure transducer (paragraph [0023]).

In re claim 3, Mekias, in Fig.3, teach that a dispense valve 22 is between the supply of process solution 32 and the dispenser 30, and the pressure sensor 44 is between the dispense valve 22 and the dispenser 30, which is inside the process chamber 8, because Mekias discloses that a dispense head (i.e. the dispenser) is inside a processing chamber 8 (paragraph [0023]).

In re claim 4, Mekias inherently teach that the pressure sensor 44 detects a beginning or end of process solution being dispensed from the dispenser 30.

In re claim 5, Mekias teaches comprising a control system (i.e. a high-precision electronic feedback control system (paragraph [0021]) for controlling a spin coating process, wherein the pressure sensor 44 detects a beginning or end of process solution being dispensed from the dispenser 30 and the pressure sensor send a signal to the control system at a detected beginning or at a detected end of the process solution dispense (paragraph [0022]).

In re claims 6 and 8, Mekias teaches that the solution is a photoresist solution (paragraph [0025]), and the pressure sensor signals the control system at a detected end of the process solution dispense.

In re claim 7, Mekias teaches that the solution is a developer solution (paragraph [0025]), and the control pressure sensor 44 signals the control system at a detected end of the developer solution dispense.

In re claims 24-25, Mekias also expressly and inherently teaches a spin-coating system comprising a supply of process solution in fluid 12 communication with a dispenser 30 through a dispense line 6 and a pressure sensor 44 that measures pressure of the process solution to detect an equipment malfunction in the apparatus, such as pressure variation result from the equipment malfunction, such as variabilities in chamber volume (paragraph [0023]).

In re claim 26, Mekias also inherently teaches that the system detects a malfunction by measuring pressure of process solution via the pressure sensor 44 in the dispense line 6 during dispense of the process solution.

In re claim 27, Mekias teaches that the solution is a photoresist solution (paragraph [0025]).

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3. Claims 24-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lu (US 6,098,650).

In re claim 24, Lu, in Fig. 3A-3C and 5 and corresponding text, teaches a spin-coating system comprising a supply of process solution stored in a container 32 in fluid communication with a dispenser 26 (i.e. a spread head) through a dispense line 27 (i.e. a duct) and a pressure sensor 46/50 (Fig.5 and Fig.3A-3C) that measures pressure of the process solution and compares the measured pressure to an expected pressure to identify a difference between the measured pressure and the expected pressure to detect a malfunction in the apparatus (col. 3, lines 22-23 and 32-35 and col. 4, lines 27-30).

In re claim 25, Lu also teaches that the malfunction is an equipment malfunction, i.e. using the pressure sensor 46/50 to detect if a container 52 inside the pressure sensor 46/50 is over-pressurized (col. 3, lines 52-54 and 32-34), and thus using an extruding port 42 inside the pressure sensor needs to release the pressure.

In re claim 26, Lu teaches detects a malfunction by measuring pressure of process solution in the dispense line 27 using the pressure sensor 46/50 during dispense of the process solution (col. 4, lines 27-30 and 37-39 and col. 2, lines 24-28).

In re claim 27, Lu teaches that the process solution is selected from solvent because the apparatus is for transporting solution for planarization, which comprises a solvent (col. 1, lines 28-32).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone et al.(US 6,383,289) in view of Hayes et al. (US 6,494,953).

In re claim 9, DeSimone et al. teach a spin-coating system comprising:

- a turntable 13 to support and rotate a substrate 12(Fig.1);
- a dispenser 17 positioning above the substrate 12;
- a supply of process solution in fluid communication with the dispenser 17 through a dispense line 31 (Fig.1);
- a pressure sensor 50 that measures pressure of the process solution; and
- a process control system (i.e. a controller, col. 6, lines 24-25) that controls application of the process solution to the substrate 12, the process control system being programmed to interrupt serial control to execute a process command.

DeSimone et al. is silent as to the dispenser being moveable between a dispensing position and a non-dispensing position.

Hayes et al., in an analogous art, teach using a dispenser comprising a dispensing nozzle 76 and a dispensing line 14 (Fig.3), which is moveable between a dispensing position (i.e. the position above the substrate 15) and a non-dispensing position (i.e. the position above the solvent bath 18), wherein the dispenser is rinsed in the solvent bath 18 (Fig.1 and col. 3, lines 46-49).

Therefore, it would have been obvious to one of the ordinary skill in the art, at the time of the invention was made, to combine DeSimone et al. with Hayes et al. so that the dispenser can be

used for spin coating at the dispensing position and be rinsed or cleaned at the non-dispensing position (col. 3, lines 46-49, Hayes et al.).

In re claim 10, DeSimone et al. teach that the system comprises a dispense valve 32 between the supply of process solution and the dispenser 17, the pressure sensor 50 measures pressure of the process solution in the disperse line, the pressure sensor 50 is between the dispense valve and the dispenser 17.

In re claims 11 and 15, DeSimone et al. teach that the solution is a photoresist solution (col. 4, line 32).

In re claim 12, DeSimonde et al. inherently teach that the pressure sensor 50 sends a signal to the control system (i.e. a controller, col. 6, lines 24-25) at the beginning or at the end of dispense of the process solution, and the control system interrupts control of process (col.3, lines 25-34).

In re claim 13, DeSimonde et al. also teach the claimed limitations, as stated in the rejection against claims 11 and 12.

In re claim 14, the teachings of DeSimonde et al. is illustrative rather than restricted to the photoresist solution (col. 4, lines 28-38 and col. 6, lines 35-36). One of the ordinary skill in the art would have been motivated to apply the teachings of DeSimonde et al. to spin-coat a developer solution for a expectation of success, i.e. using the pressure sensor 50 of DeSimonde et al. capable of sending a signal to the controller at the start of the developer solution dispense.

6. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu (US '650).

One of the ordinary skill in the art would have been motivated to using the pressure sensor to generate a measure pressure profile and thus to compare the measured pressure with an

expected pressure (i.e. allowed tolerances, col. 3, lines 32-35) to determine the pressure difference and to detect a malfunction in the apparatus, such as dispense line clog because the teachings is illustrative rather than restrictive (col. 4, lines 40-46). For example, a line clog would cause over-pressurized in the dispense line 27 (col. 3, lines 52-53), which can be detected by the pressure sensor 46/50.

***Response to Arguments***

7. Applicant's arguments filed 12/2/2005 have been fully considered but they are not persuasive for reasons as follows.

In re claims 1 and 2-8, applicant asserted that "Mekias does not teach or even remotely disclose a spin-coating system that includes a pressure sensor that measures the pressure of a process solution in a dispense line at time related to solution dispense to control the timing of a subsequent spin-coating process step." (last paragraph on page 6 of the arguments)

In response to the arguments, Mekias teach a pressure sensor 44 that is configured to the system and to control the timing of opening and closing of input and output valves (paragraph [0034]). With the proper operation control the timing of each input and output valves, each process chamber 8 can precisely control dispensing fluid or process solution. The act of dispensing fluid is broadly and reasonably interpreted as a part of spin-coating process steps. Since Mekias teaches a system comprising the pressure sensor 44 that measures the process solution pressure in the dispense line 10 and thus control the timing of opening and closing of input and output valves for spinning coating, therefore Mekias's teachings do read on the claim.

In re claim 3, applicant argued that Mekias does not teach the limitations because "reference character 30 in Mekias is not a dispenser" and "reference character 44 is not

necessarily a pressure sensor.” (first paragraph on page 8 of the arguments) Applicant further asserted that 30 is a cross section of a pump. (second paragraph on page 8)

In response to the arguments, Mekias teaches that reference character **30** is **not** a cross section of a pump but an apparatus used to dispense a developer solution. In particular, Mekias disclose that the apparatus 30 comprises multiple process chamber 8 defined by flexible inner tubings 10 (Fig. 2 and paragraph [0033]). Each of the different process chamber 8 can be used to dispense a different fluid. Since a dispenser can be broadly and reasonably interpreted as an apparatus that provide a function of dispensing, reference character **30** is **nothing but the dispenser.**

Regarding reference character 44, Mekias discloses that the dispensing system “can include one or more **pressure sensors**, such as pressure transducers, to measure pressure of a component of the dispensing apparatus for feedback control such as the control fluid pressure or a process fluid pressure.” (paragraph [0023]) Mekias further suggests that the preferred location of the **pressure sensor** in the dispensing apparatus can be at a dispense inside a process chamber 8 (paragraph [0023] and Fig.3). Furthermore, Figure 3 shows that the pressure of the process chamber 8 is controlled by a control fluid 20 from a fluid reservoir 40, the pressure of which is in turn controlled by regulated pressure 44 (paragraph [0035]). Therefore, reference character **44** is **the pressure sensor**, which can be used to regulate fluid pressure. If the pressure sensor is not between the dispense valve and the dispenser, how it can measure pressure of the component of the dispensing apparatus for feedback control dispensing fluid. (paragraph [0023])

In re claim 4, applicant maintained that Mekias does not teach the limitations because “regulated pressure 44 of the Mekias pump does not necessarily detect a beginning or end of a process solution being dispensed from a dispenser.” (page 8 of the arguments)

In response to the argument, reference character 44 is not associated with a pump, as asserted by the applicant. At least Mekias is silent as to the location of the pump. Reference character 44 is the pressure sensor, as stated previously. The **pressure sensor** is to measure pressure of a component of the dispensing apparatus for feedback control fluid dispensing (paragraph [0023]), and thus to allow fluid flow through valves (paragraph [0021]). The open or close of the valves (i.e. inlet and outlet valves), which is based on the pressure difference detected from the pressure sensor, obviously is related to a beginning and an end of the process solution being dispensed from the dispenser. Therefore, Mekias inherently teaches the limitations as recited in claim 4.

Applicant's arguments with respect amended claim 24 claim and its dependent claims 25-27 and 30-31 have been fully considered and are persuasive. Upon further consideration, a new ground(s) of rejection is made, as stated previously.

### *Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hsien-ming Lee whose telephone number is 571-272-1863. The examiner can normally be reached on Tuesday-Thursday (7:30 ~ 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hsien-ming Lee  
Primary Examiner  
Art Unit 2823

Feb. 1, 2006

HSIEN-MING LEE  
PRIMARY EXAMINER

2/1/06